

ALASKA PIONEER HOME		P&P No: 03.04
Title: Transfer and Discharge		Approval: D. COTE
Key Words: Transfer, Appeal, Discharge		
Team: Administration, Nursing, Social	Effective Date: 8/1/12	Page: 1 of 5

PURPOSE

To identify procedures for a resident transfer and a resident discharge from a Home in the Alaska Pioneer Homes (AKPH).

POLICY

AKPH residents may transfer to another Home of their choice, subject to the original application date and wait list.

Resident files are the property of the AKPH. If a resident transfers from one Pioneer Home to another, the resident's complete file is copied and sent to the Home to which the resident is relocating.

AKPH residents transfer to a facility other than a Pioneer Home when the residents require services that are not provided by the Homes.

Discharge of a resident from a Home occurs when a resident, their representative, or the Home administrator chooses to terminate the residential services contract.

DEFINITIONS

PROCEDURE

I. Transfer of a Resident from a Home

- A. Transfer to a Home of higher preference.
 1. Once an applicant has accepted an invitation to a Home, they have 30 days to submit a written request to transfer to a Home of higher preference, that is designated on the original application.
 2. The applicant's name is then kept on the active waiting list for the Home of higher preference with the original application date and level of care.
 - a. An applicant in *transfer status* is offered a bed in the new Home of higher preference in the same manner as other applicants.

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3. For example, if a resident accepts an opening in a Home that is the second choice, the resident may remain on the active waiting list of the Home that is the first choice, in the order of the original date of application.
 4. If a resident requests a transfer and declines an offer for placement into a Home that is first choice, the resident is suspended from the transfer status.
 - a. An exception occurs when a resident wishes to wait for an additional space to become available for a spouse transfer at the same time.
 - b. The resident's name is retained on the active waiting list until the chosen Home is able to accept both spouses.
 5. If a resident declines an offer for transfer into a Home that is not first choice, the Home is removed as a transfer choice, as well as other Homes of lesser choice.
 6. A new application form is completed if the request to transfer:
 - a. Is submitted more than 30 days after accepting an invitation, *or*
 - b. Is to transfer to a Home of lesser preference, *or*
 - c. Is to transfer to a Home not on the original application.
 - d. This application is processed in the same manner as a new applicant's request.
 7. If a resident moves into a Home, then decides to move out, a new application and date are used for re-admission to a Home.
 8. If a resident declines an offer of admission to a Home, the applicant's name is transferred to the inactive waiting list.
 - a. The applicant's name remains on the inactive waiting list at least 90 days before applying for a transfer back to the active waiting list.
- B. Transfer to another facility due to medical necessity
1. A Pioneer Home is an assisted living facility, operating in accordance with the statutes and regulations pertaining to assisted living homes; it is not an acute care or skilled nursing facility.
 2. If a Home resident requires services that are not provided by a Pioneer Home, the resident is referred to another appropriate health care facility for service until the resident is able to return to the Home.
 3. The Home administrator notifies the resident in writing about the reason for the transfer and the appeal process.
- C. Resident appeal process
1. If the administrator's decision to transfer a resident is appealed, the director receives a report from the administrator.
 2. The appeal is written and addressed to the director within 30 days of the administrator's decision.

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3. The report to the director details the basis for the decision and includes a *Statement of Findings*, which includes:
 - a. Resident name
 - b. Facts
 - c. Outstanding issues
 - d. Resident's position
 - e. Administrator's position
 - f. Analysis
 - g. Recommendation
4. The director makes a decision within ten (10) working days after the written and testimonial records are closed.
 - a. The ten days is extended for good cause, such as time to present post-hearing briefs or newly discovered evidence not previously available.
5. The director can delegate hearing authority to an assistant or a hearing officer.
6. An aggrieved resident is entitled to a hearing by appeal within 30 days after the administrator's decision is mailed to the director.
7. A further appeal goes to the commissioner within 30 days of the director's ruling.
8. The commissioner may delegate review authority to the deputy commissioner or hearing officer.
9. The appeal is on the record, and is decided within ten (10) working days after the full record is received by the commissioner.

II. Discharge of a Resident from a Home

- A. Conditions for resident discharge:
 1. The resident behaves inappropriately in a congregate setting and is endangering or threatening the health and safety of residents and staff.
 2. The resident chooses to be discharged from the Home.
 3. The resident's legal representative chooses to discharge the resident from the Home.
 4. The resident is admitted to the Home by fraud or deceit, and is subject to immediate discharge upon discovery.
 5. The resident violates the Home rule prohibiting weapons.
 6. The resident violates the Home rule pertaining to smoking.
 7. The resident is able to pay monthly rates and fees, and doesn't pay.
 8. The resident is absent from the Home for more than 60 days, unless the absence is due to medical care not provided by the Home.
 9. The resident needs medical intervention beyond the capability of the Home.

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- B. When a resident is discharged from a Home, a new application date and enrollment on the waiting list is required for re-admission.

- C. Voluntary discharge
 - 1. Residents or their representatives may choose to be discharged from a Home at any time.
 - 2. Thirty (30) days written notice of intent to move out is required.
 - 3. If a resident fails to give at least 30 days notice, the resident pays the fees for the 30 day period beginning on the date that notice was given.

- D. Involuntary discharge
 - 1. An administrator uses the Involuntary Termination of Contract section of the State assisted living statutes when discharging a resident.
 - 2. The assisted living statute states the following:
 - a. An assisted living home may not terminate a residential services contract with a resident of the home against the resident's will, except:
 - 1) For medical reasons.
 - 2) For engaging in a documented pattern of conduct that is harmful to the resident, other residents, or staff of the home.
 - 3) For violation of the terms of the residential services contract, including failure to pay costs incurred under the contract.
 - 4) When emergency transfer out of the home is ordered by the resident's physician.
 - 5) When the home is closing.
 - 6) When the home can no longer provide or arrange for services in accordance with the resident's needs and the assisted living plan.
 - b. The assisted living home provides 30 days written notice of the discharge to the resident, representative, and service coordinator when possible. The notice must state the:
 - 1) Basis for the discharge, *and*
 - 2) Resident's right to contest the discharge, which includes an offer by the home to participate in a case conference.
 - c. Before a resident is discharged, the home participates in a case conference requested by the resident.
 - 1) The conference includes the resident and the resident's representative, advocate, and service coordinator if available.
 - 2) The home administrator and the care providers are present to discuss the appropriateness of the discharge.
 - d. If a home discharges a resident, the home cooperates with the resident and the resident's service coordinator and representative to make arrangements to relocate the resident.

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E. Deceased resident

1. Upon the death of a resident, the resident's property that is under the department (DHSS) control is disposed according to court approval.
2. The department is not responsible for funeral, burial, cremation, or similar costs for a resident.
3. The department retains resident records for seven (7) years after death.

HISTORY OF REVISIONS

New: 1/1/12

Revised: 3/15/12; 7/20/12

Reviewed: 3/15/12

ATTACHMENTS**REFERENCES**

7 AAC 74.030, 7 AAC 74.065, 7 AAC 74.070, AS 47.33.360